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EXAMINER

DAVENPORT, MON CHERI S

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/786,411	<b>Applicant(s)</b> ONO ET AL.	
	<b>Examiner</b> MON CHERI S. DAVENPORT	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 2416

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-14** rejected under 35 U.S.C. 103(a) as being unpatentable over O' Neill (US Patent Application Publication 2003/0018715) in view of Miller et al. (US Patent 6,873,627).

Regarding **Claim 1** O' Neill disclose a packet relay device comprising:

a join request unit operable to transmit a join request a second relay device to join a multicast group in response to receiving a join instruction to join the multicast group, the join instruction transmitted by a mobile node at least before the mobile node moves between subnetworks( *see figure 5, section 512, management operations, see paragraph [0013], lines 12-18, a PIM join is sent towards the originator, that sent the register message, the join arrives at the DR(designated router), see abstract, permitting a mobile host to roam in a foreign network, with multiple access node handoffs, therefore, the join is sent before the mobile node moves between the subnetwork* ) ; and

a packet forwarding unit operable to forward subsequently received multicast packets for the multicast group for a specified time period to a care-of address in response to the packet relay device receiving location registration information containing the care-of address of the mobile node in a foreign subnetwork to which the mobile node has moved, the location registration information transmitted when the mobile node has moved between subnetworks, (*see figure 5,*

Art Unit: 2416

*section 518, forwarding operations), see paragraph [0015], lines 20-25, the CoA( care of address) is registered on the home network, and the HA tunnels arriving packets destined for the HoA towards the mobile Host , detunnels the packet and deliver the packets ).*

O' Neill fails to specifically point wherein the packet forwarding unit does not forward the multicast packets after expiration of the specified period of time as claimed.

However Miller et al. teaches wherein the packet forwarding unit does not forward the multicast packets after expiration of the specified period of time (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30).

Regarding **Claim 2** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 1*). In addition the packet relay device includes:

wherein the packet forwarding means is further operable to stop forwarding of the multicast packets in response to receiving a forwarding stop instruction transmitted by the mobile node (*see paragraph [0013], lines 20-23, the RP sends register stop (forward stop) messages periodically back to the DR to suppress register messages, see paragraph [0044] lines 6-13, setting the 'B' bit means messages should be sent back to the HA*)).

Regarding **Claim 3** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 1*). In addition the packet relay device includes:

Art Unit: 2416

wherein the packet forwarding means is further operable to determine a forwarding time period for the multicast packets based on time period designation information in response to receiving the time period designation information indicating a specified time period, the time period designation information transmitted by the mobile node(*see figure 5, section 516, forwarding information*), *see paragraph [0104], lines 6-9, generate forwarding information that may be used for forwarding operation, the time period to forward packets is forwarding information*).

Regarding **Claim 4** O' Neill in view of Miller et al. discloses a mobile node comprising:

a join instruction unit operable to transmit join instructions to join a multicast group to a location registrar relay device, the location registrar relay device being the recipient of location registration information containing the mobile node's care-of address, at least before the mobile node moves between subnetworks (*see figure 4, section 422, multicast group join/leave operations, see paragraph [0102], multicast facilities include the multicast group join/leave operations*), and

a forwarding request unit operable to transmit a forwarding request to the location registrar relay device, in response to the mobile node moving between subnetworks while participating in the multicast group, whereby multicast packets for the multicast group are subsequently received by the location registrar relay device and forwarded for a specified time period to a care-of address of the mobile node after the move(*see figure 4, section 416, forwarding operations, see paragraph 0101, lines 3-11, forwarding operations that are used for reach ability information a home foreign network multicast policy, determination,*

Art Unit: 2416

*information includes CoA( as well as a home agent broadcast indicator and a reverse tunnel indicator).*

O' Neill fails to specifically point wherein the packet forwarding unit does not forward the multicast packets to the care-of address after expiration of the specified period of time as claimed.

However Miller et al. teaches wherein the packet forwarding unit does not forward the multicast packets after expiration of the specified period of time (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30).

Regarding **Claim 5** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 4*). In addition the mobile node includes:

wherein the join instruction unit is further operable to:

transmit a join request to join the multicast group to a relay device in a subnetwork to which the mobile node is attached when the mobile node newly joins a multicast group; and transmit a join instruction to join the multicast group to the location registrar relay device ( *see figure 7, section 760 and 765, join the outgoing interface to the multicast group, distribute the access router address as a source specific RPF( relay device) address*) .

Regarding **Claim 6** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 4*). In addition the mobile node includes:

further comprising a forwarding stop instruction unit operable to transmit to the location registrar relay device a forwarding stop instruction to stop forwarding of multicast packets by the location registrar relay device once multicast packets are received from a multicast group based on a join request after transmitting the join request to join the multicast group(*see paragraph [0094], lines 9-14, "B" bit is used to control the forwarding of the multicast signaling and data packet to and from the MN*) .

Regarding **Claim 7** O' Neill discloses everything as applied above (*see claim 4*). In addition the mobile node includes:

transmit information indicating that forwarding should be continued as the time period to the location registrar relay device when the subnetwork to which the mobile node has moved has no multicast packet delivery function (*see figure 7, section 715, see paragraph [0113], lines 24-43, if the foreign network is determined not to be a multicast router, then the multicast packets are tunneled to the rendezvous point node*).

O' Neill fails to specifically point out further comprising a time period designation operable to transmit information indicating a specified period of time as the time period to the location registrar relay device when a subnetwork to which the mobile node has moved has a multicast packet delivery function as claimed.

Miller et al. teaches further comprising a time period designation operable to transmit information indicating a specified period of time as the time period to the location registrar relay

Art Unit: 2416

device when a subnetwork to which the mobile node has moved has a multicast packet delivery function (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast, see also col. 13, lines 45-54, time limit information included in the packets)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30).

Regarding **Claim 8** O' Neill discloses a packet forwarding method comprising the steps of:

notifying a home agent for a mobile node that receives multicast packets whether a foreign subnetwork to which the mobile node has moved is a multicast protocol compatible subnetwork( *see figure 7, section 705, does the access router support non-local multicast source address, see paragraph [0113], lines 24-43, if the foreign network is determined not to be a multicast router , then the multicast packets are tunneled to the rendezvous point node*);

allowing the encapsulating and forwarding, at the home agent, of multicast packets to a care-of address of the mobile node, based on content of the notification, the foreign subnetwork to which the mobile node has moved is a multicast protocol compatible subnetwork( ( *see figure 9, section 950, encapsulate to the FA from the Hoa address, see paragraph [0115], lines 17-26, this is encapsulated and forwarded for a time period as this function is not indefinite* ); and



Art Unit: 2416

allowing encapsulating and forwarding, at the home agent, the multicast packets to the care-of address regardless of the specified time period if the foreign subnetwork is not a multicast protocol compatible subnetwork *(see figure 8, section 835 and 865, foreign is not compatible, tunnel instance of multicast packet to the home agent of the mobile node, packets are forwarded without respect to time, when mobile node is a non-member sender).*

O' Neill fails to specifically point out forwarding, at the home agent for a specified limited time period, preventing the encapsulation and forwarding, at the home agent, the multicast packets to a care-of address of the mobile node after expiration of the specified period of time as claimed.

However Miller et al. teaches wherein the packet forwarding unit does not forward the multicast packets after expiration of the specified period of time (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30).

Regarding **Claim 9** O' Neill in view of Miller et al. discloses everything as applied above *(see claim 8)*. In addition the packet forwarding method includes:

including information indicating whether the foreign subnetwork is multicast protocol compatible in a location registration message *( see paragraph [0113], lines 25-29, decision to determine if access router is a multicast router, if no, an instance copy of the packet is forwarded to the local designated DR of the multicast group).*

Art Unit: 2416

Regarding **Claim 10** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 8*). In addition the packet forwarding method includes:

O' Neill fails to specifically point out statically determining, at the home agent, the time period for performing encapsulated forwarding as claimed.

Miller et al. teaches statically determining, at the home agent, the time period for performing encapsulated forwarding (see col.14, lines 45-50, a session timeout, in which a time limit is determined for forwarding content that is multicast)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30)).

Regarding **Claim 11** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 8*). In addition the packet forwarding method includes:

O' Neill in fails to specifically point out indicating to the home agent, from the mobile node, that the time period that the home agent forwards multicast packets to the mobile node as claimed.

Miller et al. teaches indicating to the home agent, from the mobile node, that the time period that the home agent forwards multicast packets to the mobile node (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast)

Art Unit: 2416

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30)).

Regarding **Claim 12** O' Neill in view of Miller et al. discloses a packet forwarding method comprising the steps of:

notifying a relay device to which a mobile node that receives multicast packets was connected in a subnetwork that the mobile node is moving from as to whether a foreign subnetwork to which the mobile node is moving is a multicast protocol compatible subnetwork(*see paragraph [0117], lines 18-24, it is determined whether or not foreign multicast is used , see figure 11, section 1140, does mn policy mandate foreign multicast*)) );

allowing encapsulating and forwarding, at the relay device, the multicast packets to a care-of address of the mobile node in the foreign network to which the mobile node has moved if, based on content of the notification, the foreign subnetwork to which the mobile node has moved is a multicast protocol compatible subnetwork( *see figure 11, section 1130, use foreign multicast, see figure 15, section 1565, encapsulated and forwarding to foreign agent to rendezvous point tunnel, this is encapsulated and forwarded for a time period as this function is not indefinite* ) ; and

encapsulating and forwarding, at the relay device, the multicast packets to the care-of address regardless of the specified time is period if the foreign subnetwork to which the mobile node has moved is not a multicast protocol compatible subnetwork( *see figure 13, section 1320b, persistent address to FA tunnel, see paragraph [0110], packets are encapsulated to the foreign*

Art Unit: 2416

***agent from the persistent address mobile node packets are forwarded without respect to time, when mobile node is a non-member sender).***

O' Neill fails to specifically point out forwarding, at the home agent for a specified limited time period, preventing the encapsulation and forwarding, at the home agent, the multicast packets to a care-of-address of the mobile node after expiration of the specified period of time, as claimed.

However Miller et al. teaches wherein the packet forwarding unit does not forward the multicast packets after expiration of the specified period of time (see col.14, lines 45-50, a session timeout, in which a time is limit is determined for forwarding content that is multicast)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30).

Regarding **Claim 13** O' Neill in view of Miller et al. discloses everything as applied above (*see claim 12*). In addition the packet forwarding method includes:

including information indicating whether the foreign subnetwork is multicast protocol compatible in a location registration message( *see paragraph [0113], lines 25-29, decision to determine if access router is a multicast router, if no, an instance copy of the packet is forwarded to the local designated DR of the multicast group*).

Regarding **Claim 14** O' Neill in view of Miller et al. discloses a home agent comprising (*see figure 3*):

Art Unit: 2416

a binding cache operable to manage foreign locations of mobile nodes to be managed(  
*see figure 3, section 318, home/foreign multicast policy*);

a multicast packet forwarding processing unit operable to forward multicast packets( *see  
figure 3, section 332, multicast forwarding operations*); and

a packet processing unit operable to perform encapsulated forwarding of multicast  
packets when multicast packets can be received at a foreign location of a mobile node and to  
perform encapsulated forwarding of the multicast packets for a time regardless of the specified  
time period when multicast packets for a time regardless of the specified time period when  
multicast packets cannot be received at a foreign location of a mobile node (*see figure 14,  
section 1465, encapsulated, foreign agent to home agent tunnel, see [0045], lines 1-8, the FA  
has the mobility state that tells it how to react to IGMP messages, the IMGMP message ([0010])  
will include instruction of specific time to forward encapsulated packets*).

O' Neill fails to specifically point out forwarding, at the home agent for a specified  
limited time period, to not perform encapsulated forwarding of multicast packets after the  
expiration of the specified time period when multicast packets can be received at a foreign  
location of a mobile node as claimed.

However Miller et al. teaches wherein the packet forwarding unit does not forward the  
multicast packets after expiration of the specified period of time (see col.14, lines 45-50, a  
session timeout, in which a time is limit is determined for forwarding content that is multicast)

Art Unit: 2416

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine O'Neill invention with Miller et al. invention because Miller et al. invention provides reliable multicast data transfer ( see Miller et al., col. 3, lines 29-30)).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MON CHERI S. DAVENPORT whose telephone number is (571)270-1803. The examiner can normally be reached on Monday - Friday 8:00 a.m. - 5:00 p.m. EST.

Art Unit: 2416

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin C. Harper/  
Primary Examiner, Art Unit 2416

/Mon Cheri S Davenport/  
Examiner, Art Unit 2416  
September 23, 2009